



## State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor  
George E. Meyer, Secretary  
William R. Selbig, District Director

647 Lakeland Road  
Shawano, Wisconsin 54166  
TELEPHONE 715-524-2183  
FAX 715-524-3214

September 23, 1997

### IN REPLY REFER TO:

Mr. Mike Abraham  
Wolf River Oil and Marine  
PO Box 135  
Fremont, WI 54940

Subject: Case Closeout Request for Wolf River Oil and Marine, Fremont, WI; WDNR LUST # 69-00499, Omnni Project N0571A95; PECFA Claim # 54940-9792-08.

Dear Mr. Abraham:

On September 19, 1997 the above-named site was reviewed by the WDNR Northeast Region Closure Committee for a determination as to whether or not the case qualified for close out under ch. NR 726, Wis. Adm. Code.

Based on the documentation provided, the Department has determined that natural attenuation is effective in remediating the remaining groundwater contamination and that no further remedial action is necessary at the site. However, because some contaminated groundwater remains, we are requiring that a notice be placed on the property deed, prior to case closure, indicating that these conditions exist. The notice will not prohibit installation of new water supply wells on the property but will require certain restrictions regarding well construction to insure a safe water supply. This will not affect the existing well.

Please send me a copy of the current property deed as filed with the county register of deeds that indicates the present property owner and the volume and page in which it is recorded. I will prepare the deed document and send it to you for review and filing.

I have received the PECFA Form 4-B for review. I will sign off when I receive documentation that the deed notice has been filed and that all wells and boreholes have been properly abandoned. If you have any questions regarding this letter, please contact me at (715) 526-4230. The Department appreciates the cooperation you have shown in this matter.

Sincerely,

Tom Sturm  
Hydrogeologist  
Remediation and Redevelopment Program

cc: Don Brittnacher - Omnni Associates, One Systems Drive, Appleton, WI 54914

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Quality Natural Resources Management  
Through Excellent Customer Service



Document Number

Groundwater Use Restriction

In Re:

Property previously recorded in Volume 749, Page 511, Document Number 505088, Waupaca County Register of Deeds, described as:

The East 210 feet of the West 26 rods of that part of Government Lot 4 lying South of U.S. Highway 10, in section 26, Township 21 North, Range 13 East, Village of Fremont, Waupaca County, Wisconsin.

AND

All that part of the East 64 feet of Government Lot 3 lying South of U.S. Highway 10 and all that part of the West 219 feet of Government Lot 4, lying South of U.S. Highway 10, all in section 26, Township 21 North, Range 13 East, Village of Fremont, Waupaca County, Wisconsin.

AND

A part of the Northwest 1/4 of the Southwest 1/4 of Section 30, Township 21 North, Range 14 East, Village of Fremont, Waupaca County, Wisconsin, bounded by a line commencing 13 rods 3 1/2 feet North from the Southeast corner of said forty, and running thence North 20 rods, thence West to Section line, thence South along Section line 20 rods, thence East to the place of beginning.

AND

Lots Number One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7), Eight (8), Nine (9), Ten (10) of Block Number Five (5) of Booth's Addition to the Village of Fremont, according to the recorded plat thereof.

AND

The East 1/2 of the East 1/2 of the Northwest 1/4 of the Northwest 1/4 of Section 17, Township 21 North, Range 14, Town of Fremont, Waupaca County.

STATE OF WISCONSIN )  
                      ) SS  
COUNTY OF WAUPACA )

WHEREAS, Michael Abraham is the owner of the above described property: and

WHEREAS, one or more petroleum discharges have occurred at this property. Methyl-tert-butyl-ether (MBTE) at 75 ppb, exists on this property

**DRAFT**

**COPY**

Recording Area

Name and Return Address

PIN

contaminating the groundwater at levels above Wisconsin Administrative Code, NR 140 Enforcement Standards at and near groundwater monitoring well MW-3, as indicated on Attachment 1.

WHEREAS, it is the desire and intention of the property owner to impose on the property restrictions which will make it unnecessary to conduct additional groundwater remediation activities on the property at the present time.

WHEREAS, natural attenuation has been approved by the Department of Natural Resources to remediate groundwater exceeding ch. NR 140, Wis. Adm. Code groundwater standards within the boundaries of this property.

WHEREAS, construction of wells where the water quality exceeds the drinking water standards in ch. NR 809, Wis. Adm. Code is restricted by ch. NR 811, Wis. Adm. Code and ch. NR 812, Wis. Adm. Code. Special well construction standards or water treatment requirements, or both, or well construction prohibitions may apply.

NOW THEREFORE, the owner hereby declares that all of the property described above is held and shall be held, conveyed or encumbered, leased, rented, used, occupied and improved subject to the following limitation and restrictions:

Anyone who proposes to construct or reconstruct a well on this property is required to contact the Department of Natural Resources' Bureau of Drinking Water and Groundwater, or its successor agency, to determine what specific prohibitions or requirements are applicable and to obtain Department approval, prior to constructing or reconstructing a well on this property. No well may be constructed or reconstructed on this property unless applicable requirements are met.

This restriction is hereby declared to be a covenant running with the land and shall be fully binding upon all persons acquiring the above-described property whether by descent, devise, purchase or otherwise. This restriction benefits and is enforceable by, the Wisconsin Department of Natural Resources, its successors and assigns. The Department, its successors or assigns, may initiate proceedings at law or in equity against any person or persons who violate or are proposing to violate this covenant, to prevent the proposed violation or to recover damages for such violation.

Any person who is or becomes owner of the property described above may request that the Wisconsin Department of Natural Resources or its successor issue a determination that the restrictions set forth in this covenant are no longer required. Upon receipt of such a request, the Wisconsin Department of Natural Resources shall determine whether or not the restrictions contained herein can be extinguished. If the Department determines that the restrictions can be extinguished, an affidavit can be recorded to give notice that this groundwater use restriction is no longer binding.

**DRAFT**

**COPY**

IN WITNESS WHEREOF, the owner of the property has executed this Declaration of Restrictions, this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_.

Signature: \_\_\_\_\_

Printed Name Michael Abraham

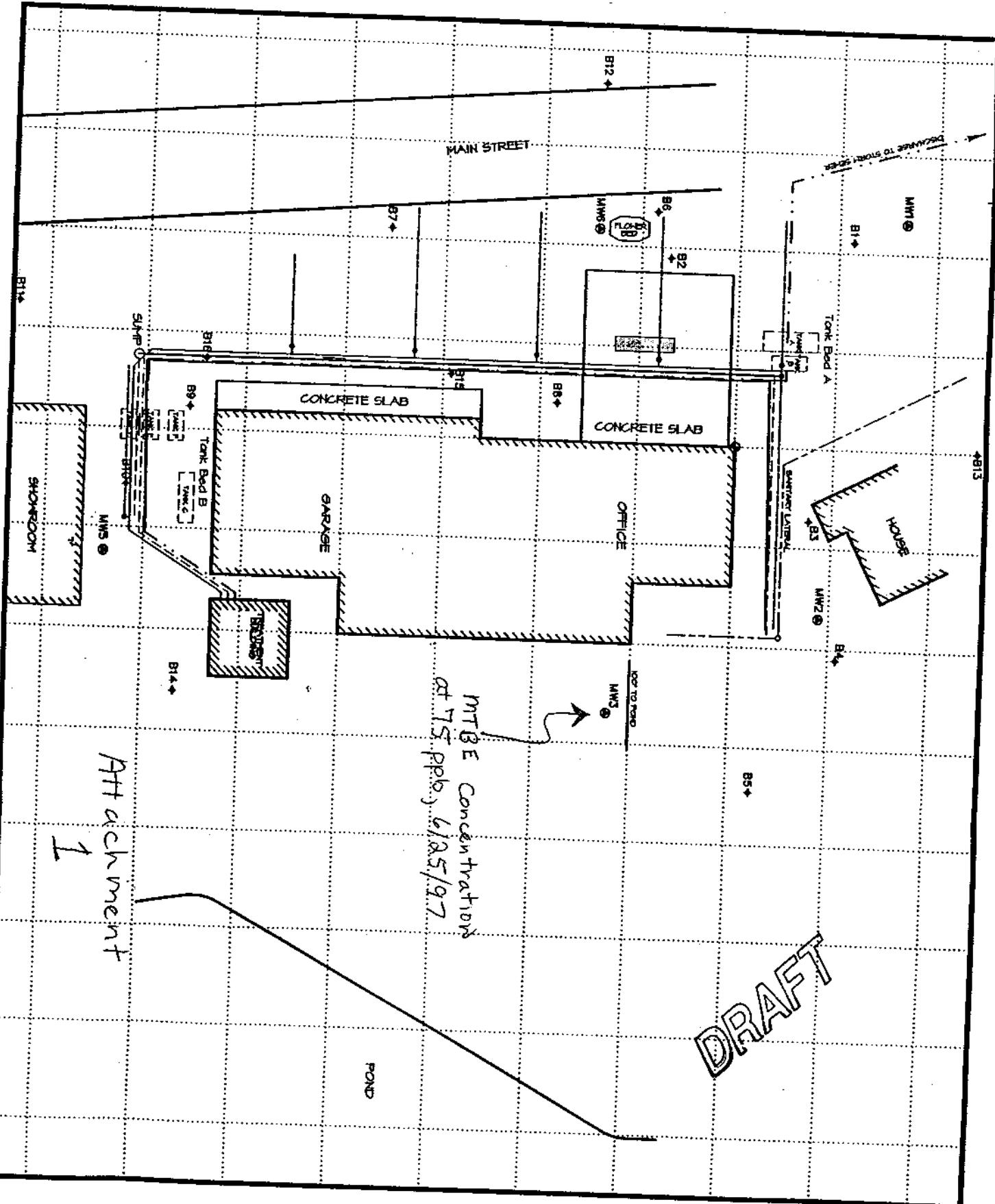
Subscribed and sworn to before me

this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_.

\_\_\_\_\_  
Notary Public, State of \_\_\_\_\_

My commission \_\_\_\_\_

This document was drafted by the Wisconsin Department of Natural Resources and consists of three pages plus one attachment.



505088

Lucille Abraham

quit-claims to Michael Abraham

the following described real estate in Waupaca County, State of Wisconsin:

The East 210 feet of the West 26 rods of that part of Government Lot 4 lying South of Hwy U.S. Highway No. 10, in Section 26, Township 21 North, Range 13 East, Village of Fremont, Waupaca County Wisconsin.

AND

All that part of the East 64 feet of Government Lot 3 lying South of U.S. Highway 10 and all that part of the West 219 feet of Government Lot 4, lying South of U.S. Highway 10, all in Section 26, Township 21 North, Range 13 East, Village of Fremont, Waupaca County, Wisconsin.

AND

A part of the Northwest 1/4 of the Southwest 1/4 of Section 30, Township 21 North, Range 14 East, Village of Fremont, Waupaca County, Wisconsin, bounded by a line commencing 13 rods 3 1/2 feet North from the Southeast corner of said forty, and running thence North 20 rods, thence West to section line, thence South along section line 20 rods, thence East to the place of beginning.

AND

Lot Number One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7), Eight (8), Nine (9) and Ten (10) of Block Number Five (5) of Both's Addition to the Village of Fremont, according to the recorded plat thereof.

AND

The East 1/2 of the East 1/2 of the Northwest 1/4 of the Northwest 1/4 of Section 17, Township 21 North, Range 14, Town of Fremont, Waupaca County, Wisconsin.

AND

Included with the purchase of above described real property are any and all buildings now located on said locations.

\* This ..... is..... homestead property.

(is not)

Dated this ..... day of April 7, 1993.

(SEAL)

(SEAL)

Lucille Abraham

(SEAL)

(SEAL)

Lucille Abraham

## AUTHENTICATION

Signature(s) .....

authenticated this ..... day of ..... 19.....

## TITLE: MEMBER STATE BAR OF WISCONSIN

(if not,  
authorized by S. 700.06, Wis. Stats.)

THIS INSTRUMENT WAS DRAFTED BY  
TONEY & SCHELLPEFFER, S.C.

## ATTORNEYS AT LAW

(Signatures may be unauthenticated or acknowledged. Both are not necessary.)

## ACKNOWLEDGMENT

## STATE OF WISCONSIN

Waupaca County,

Personally came before me this 7<sup>th</sup> day of April, 1993, the above named

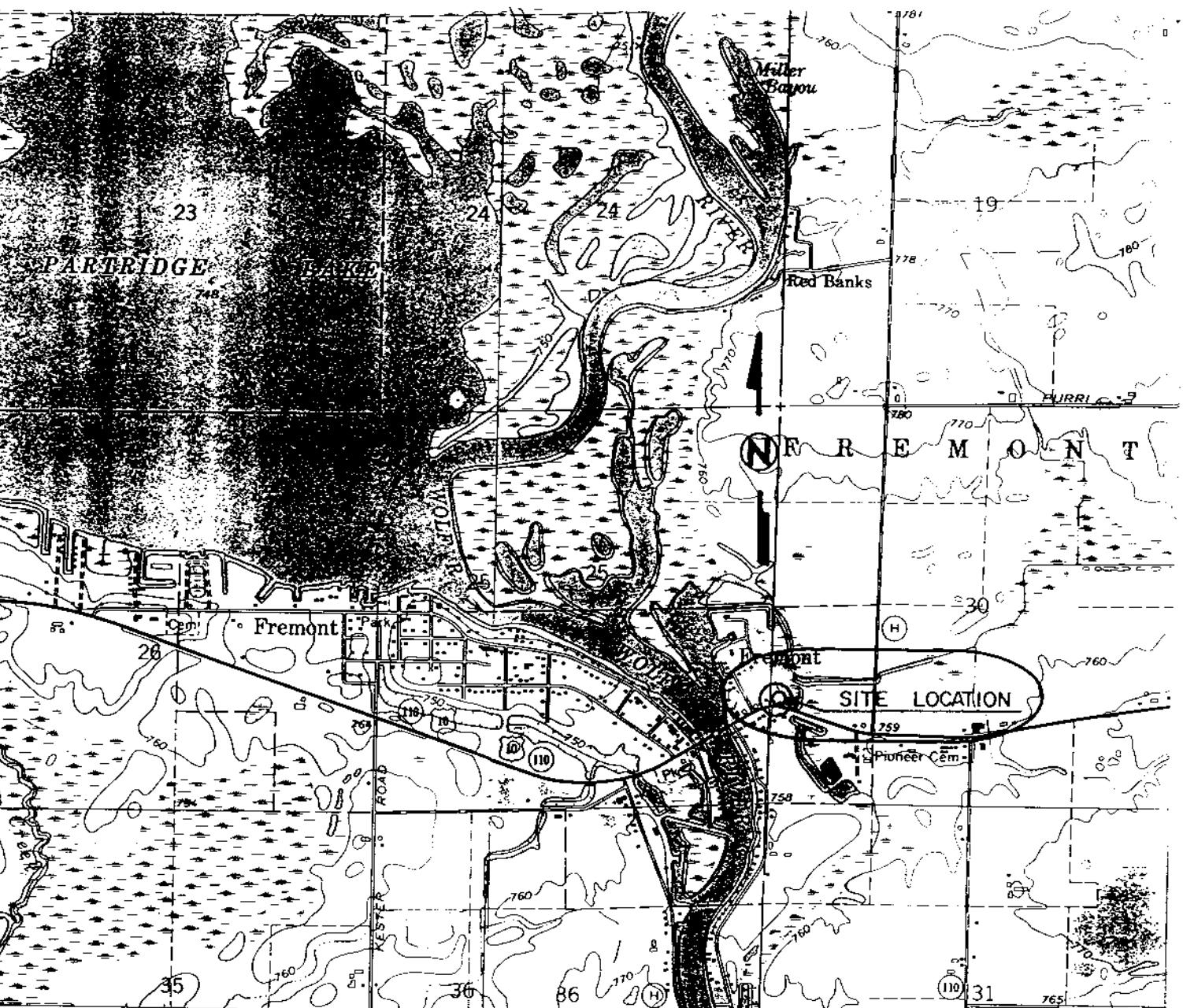
Lucile Abraham

to me known to be the person who executed the foregoing instrument and acknowledge the same.

Michael D. Abraham  
Notary Public WAUPACA County, Wis.  
My Commission is permanent. (if not, state expiration date:  
3-2-1997)

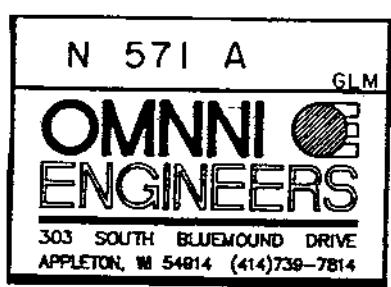
I HEREBY CERTIFY THAT I HAVE ON THIS 14<sup>th</sup> DAY OF APRIL, 1993, MICROPHOTOGRAPHED THE ABOVE AND FOREGOING DOCUMENTS IN ACCORDANCE WITH AND WITH STANDARDS ESTABLISHED BY S. 809 (3) (b) AND WITH ESTABLISHED PROCEDURES TERI ANAND, MICROFILM TECHNICIAN, WAUPACA COUNTY COURTHOUSE, WAUPACA, WI 54981

WOLF RIVER MARINE  
408 EAST MAIN ST.  
FREMONT, WI. 54940



SITE LOCATION MAP

FIGURE 1



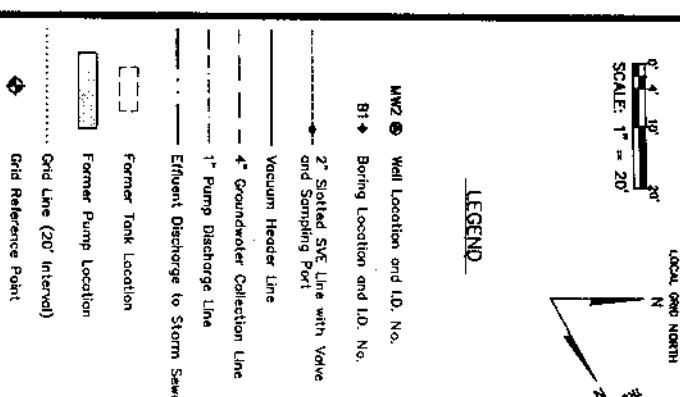
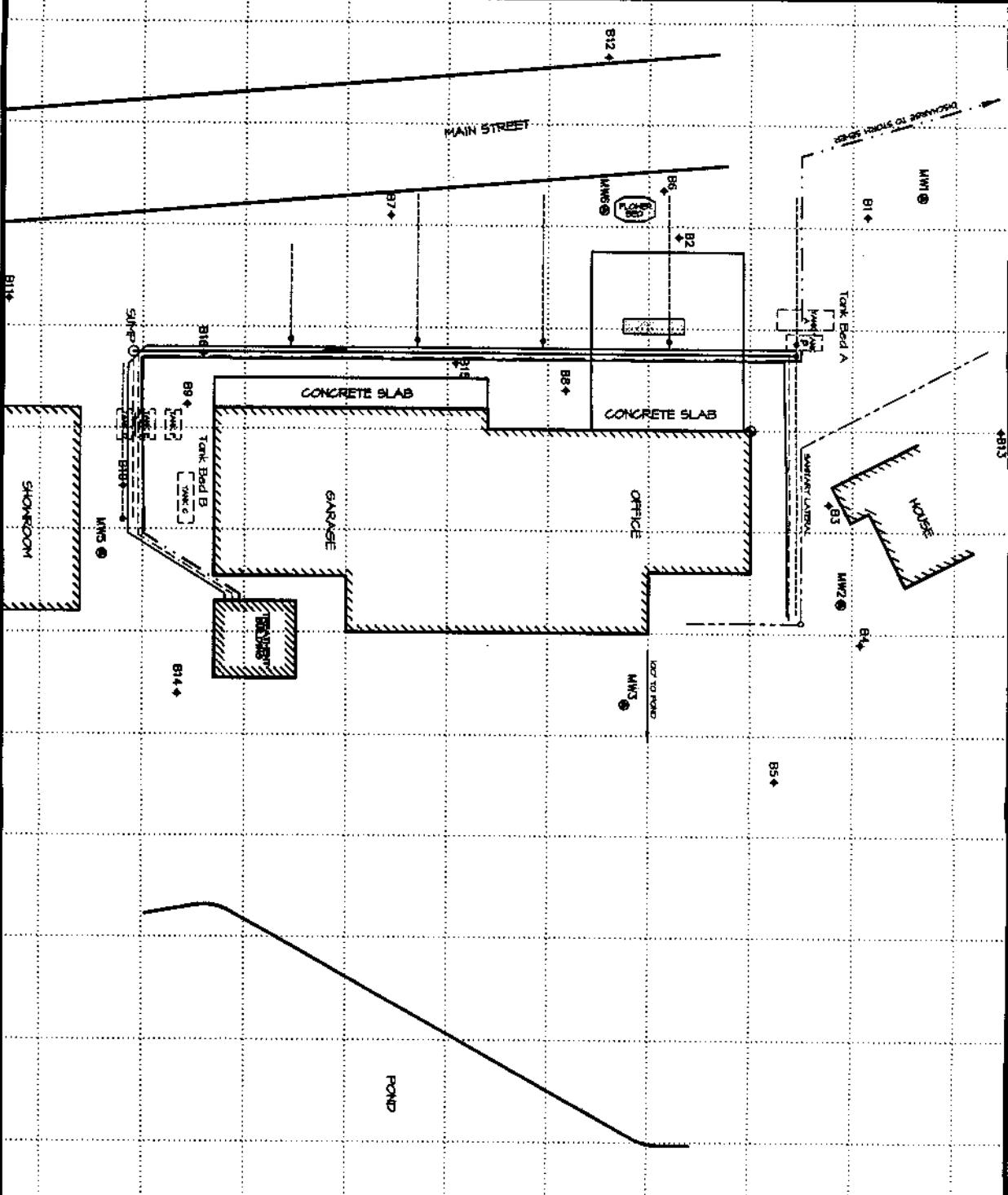


FIGURE 1  
SITE DETAIL MAP

WOLF RIVER MARINE  
408 E. MAIN STREET  
FREMONT, WISCONSIN 54940

**OMNI**  
ASSOCIATES

ONE SYSTEMS DRIVE, APPLETON, WISCONSIN 54914-1654  
PHONE : (414) 735-6900 FAX : (414) 830-6100

PROJECT: H0571445

CAD FILE: H0571445.DWG

DRAWN : MM/DO

DATE : 8/1/97

LEVEL:



TABLE 2  
SUMMARY OF LABORATORY ANALYSIS  
GROUNDWATER - HISTORICAL

PAGE 10 OF 10

MONITORING WELL MW6 (continued)										
PARAMETER ( $\mu\text{g/L}$ )	ES	PAL	8/9/94	11/30/94	3/29/95	7/26/95	10/25/95	1/24/96	7/8/96	3/24/97
BENZENE	5	0.5	-	NA	NA	NA	NA	NA	NA	ND
n-BUTYLBENZENE	-	-	NA	NA	NA	NA	NA	NA	NA	NA
tert-BUTYLBENZENE	-	-	NA	NA	NA	NA	NA	NA	NA	NA
1,2-DICHLOROETHANE	5	0.5	NA	NA	NA	NA	NA	NA	NA	NA
ETHYLBENZENE	700	140	282	50	40	0.8	206	2.8	6.4	2.9
ISOPROPYLBENZENE	-	-	NA	NA	NA	NA	NA	NA	NA	NA
p-ISOPROPYLtoluene	-	-	NA	NA	NA	NA	NA	NA	NA	NA
METHYLENE CHLORIDE	150	15	NA	NA	NA	NA	NA	NA	NA	NA
MTBE	60	12	ND	ND	ND	ND	ND	ND	ND	ND
NAPHTHALENE	40	8	-	NA	NA	NA	NA	NA	NA	NA
n-PROPYLBENZENE	-	-	NA	NA	NA	NA	NA	NA	NA	NA
TOLUENE	343	68.6	-	13	2.9	2.7	ND	10	ND	ND
1,1,1-TRICHLOROETHANE	200	40	NA	NA	NA	NA	NA	NA	NA	NA
1,2,4-TRIMETHYLBENZENE	-	-	859	228	29	18	ND	93	8.7	38
1,3,5-TRIMETHYLBENZENE	-	-	291	65	10	3.5	ND	27	14	18
XYLENES	620	124	47	20	ND	76	3.7	12	ND	ND

ES = enforcement standard

PAL = preventive action limit

ND = not detected

NA = not analyzed

■ = sample concentrations detected above the preventive action limit

TABLE 2  
SUMMARY OF LABORATORY ANALYSIS  
GROUNDWATER - HISTORICAL

PAGE 8 OF 10

## MONITORING WELL MW5 (continued)

DETECTED VOCs / PVOCs	PARAMETER (µg/L)	ES	PAL	8/9/94	11/30/94	3/29/95	7/26/95	10/25/95	1/24/96	7/8/96	3/24/97	6/25/97
BENZENE	5	0.5	NS	ND	NS	NS	NS	NS	NS	NS	NS	ND
n-BUTYLBENZENE	-	-	NS	NA	NS	NS	NS	NS	NS	NS	NS	NA
tert-BUTYLBENZENE	-	-	NS	NA	NS	NS	NS	NS	NS	NS	NS	NA
1,2-DICHLOROETHANE	5	0.5	NS	NA	NS	NS	NS	NS	NS	NS	NS	NA
ETHYLBENZENE	700	140	NS	ND	NS	NS	NS	NS	NS	NS	NS	ND
ISOPROPYLBENZENE	-	-	NS	NA	NS	NS	NS	NS	NS	NS	NS	NA
p-ISOPROPYL-TOLUENE	-	-	NS	NA	NS	NS	NS	NS	NS	NS	NS	NA
METHYLENE CHLORIDE	1.50	15	NS	NA	NS	NS	NS	NS	NS	NS	NS	NA
MTBE	60	12	NS	ND	NS	NS	NS	NS	NS	NS	NS	NA
NAPHTHALENE	40	8	NS	NA	NS	NS	NS	NS	NS	NS	NS	0.31
n-PROPYLBENZENE	-	-	NS	NA	NS	NS	NS	NS	NS	NS	NS	NA
TOLUENE	343	68.6	NS	ND	NS	NS	NS	NS	NS	NS	NS	NA
1,1,1-TRICHLOROETHANE	200	40	NS	NA	NS	NS	NS	NS	NS	NS	NS	ND
1,2,4-TRIMETHYLBENZENE	-	-	NS	ND	NS	NS	NS	NS	NS	NS	NS	NA
1,3,5-TRIMETHYLBENZENE	-	-	NS	ND	NS	NS	NS	NS	NS	NS	NS	ND
XYLENES	620	124	NS	ND	NS	NS	NS	NS	NS	NS	NS	ND

ES = enforcement standard  
 PAL = preventive action limit  
 ND = not detected  
 NA = not analyzed  
 NS = not sampled

TABLE 2

SUMMARY OF LABORATORY ANALYSIS  
GROUNDWATER - HISTORICAL

3400  
DNR  
Dec 10, 1995

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MONITORING WELL MW3 (continued)

PARAMETER (µg/L)	ES	PAL	8/9/94	11/30/94	3/29/95	7/26/95	10/25/95	1/24/96	7/8/96	3/24/97	6/25/97
DETECTED VOCs / PVOCs											
BENZENE	5	0.5	NS	NS	NS	NS	NS	NS	NS	NS	ND
n-BUTYLBENZENE	-	-	NS	NS	NS	NS	NS	NS	NS	NS	NA
tert-BUTYLBENZENE	-	-	NS	NS	NS	NS	NS	NS	NS	NS	NA
1,2-DICHLOROETHANE	5	0.5	NS	NS	NS	NS	NS	NS	NS	NS	NA
ETHYLBENZENE	700	140	NS	NS	NS	NS	NS	NS	NS	NS	NA
ISOPROPYLBENZENE	-	-	NS	NS	NS	NS	NS	NS	NS	NS	ND
p-ISOPROPYLTOLUENE	-	-	NS	NS	NS	NS	NS	NS	NS	NS	NA
METHYLENE CHLORIDE	150	15	NS	NS	NS	NS	NS	NS	NS	NS	NA
MTBE	60	12	NS	NS	NS	NS	NS	NS	NS	NS	NA
NAPHTHALENE	40	8	NS	NS	NS	NS	NS	NS	NS	NS	75
n-PROPYLBENZENE	-	-	NS	NS	NS	NS	NS	NS	NS	NS	NA
TOLUENE	343	68.6	NS	NS	NS	NS	NS	NS	NS	NS	NA
1,1,1-TRICHLOROBUTHANE	200	40	NS	NS	NS	NS	NS	NS	NS	NS	ND
1,2,4-TRIMETHYLBENZENE	-	-	NS	NS	NS	NS	NS	NS	NS	NS	NA
1,3,5-TRIMETHYLBENZENE	-	-	NS	NS	NS	NS	NS	NS	NS	NS	ND
XYLENES	620	124	NS	NS	NS	NS	NS	NS	NS	NS	ND

ES = enforcement standard

PAL = preventive action limit

ND = not detected

NA = not analyzed

NS = not sampled

 = sample concentrations detected above the preventive action limit

TABLE 2  
SUMMARY OF LABORATORY ANALYSIS  
GROUNDWATER - HISTORICAL

PAGE 4 OF 10

MONITORING WELL MW2 (continued)										
PARAMETER (µg/L)	ES	PAL	8/9/94	11/3/94	3/29/95	7/26/95	10/25/95	1/24/96	7/8/96	3/24/97
DETECTED VOCs / PVOCs										
BENZENE	5	0.5	ND	ND	NS	NS	NS	NS	NS	ND
n-BUTYLBENZENE	-	-	NA	NA	NS	NS	NS	NS	NA	NA
tert-BUTYLBENZENE	-	-	NA	NA	NS	NS	NS	NS	NA	NA
1,2-DICHLOROETHANE	5	0.5	NA	NA	NS	NS	NS	NS	NA	NA
ETHYLBENZENE	700	140	ND	ND	NS	NS	NS	NS	NA	NA
ISOPROPYLBENZENE	-	-	NA	NA	NS	NS	NS	NS	ND	ND
p-ISOPROPYLTOULENE	-	-	NA	NA	NS	NS	NS	NS	NA	NA
METHYLENE CHLORIDE	150	15	NA	NA	NS	NS	NS	NS	NA	NA
MTBE	60	12	ND	ND	NS	NS	NS	NS	NA	NA
NAPHTHALENE	40	8	ND	NA	NS	NS	NS	NS	NA	ND
n-PROPYLBENZENE	-	-	NA	NA	NS	NS	NS	NS	NA	NA
TOLUENE	343	68.6	ND	ND	NS	NS	NS	NS	NA	NA
1,1,1-TRICHLOROETHANE	200	40	NA	NA	NS	NS	NS	NS	ND	ND
1,2,4-TRIMETHYLBENZENE	-	-	ND	ND	NS	NS	NS	NS	NA	NA
1,3,5-TRIMETHYLBENZENE	-	-	ND	ND	NS	NS	NS	NS	ND	ND
XYLENES	620	124	ND	ND	NS	NS	NS	NS	ND	ND

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 NA = not analyzed  
 NS = not sampled

TABLE 2  
SUMMARY OF LABORATORY ANALYSIS  
GROUNDWATER - HISTORICAL

PAGE 2 OF 10  
MONITORING WELL MW1 (continued)

DETECTED VOCs / PVOCs	PARAMETER (µg/L)	ES	PAL	8/9/94	11/30/94	3/29/95	7/26/95	10/25/95	1/24/96	7/8/96	3/24/97	6/25/97
BENZENE	5	0.5	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS
n-BUTYLBENZENE	-	-	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS
tert-BUTYLBENZENE	-	-	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS
1,2-DICHLOROETHANE	5	0.5	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS
ETHYLBENZENE	700	140	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS
ISOPROPYLBENZENE	-	-	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS
p-ISOPROPYL-TOLUENE	-	-	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS
METHYLENE CHLORIDE	150	15	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS
MTBE	60	12	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS
NAPHTHALENE	40	8	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS
n-PROPYLBENZENE	-	-	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS
TOLUENE	343	68.6	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS
1,1,1-TRICHLOROETHANE	200	40	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS
1,2,4-TRIMETHYLBENZENE	-	-	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS
1,3,5-TRIMETHYLBENZENE	-	-	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS
XYLENES	620	124	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS

ES = enforcement standard  
PAL = preventive action limit  
NS = not sampled